

REMARKS

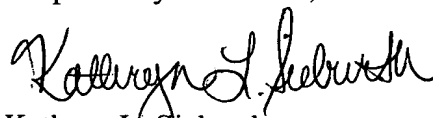
The claims are 23-65, with claims 23, 52 and 54-58 being independent. Claims 1-22 are being cancelled without prejudice or disclaimer. Support for claims 23-65 may be found throughout the specification. For example, support for claims 23-29 may be found in original claims 1-12 and in the specification at page 3, line 19 to page 4, line 4. Support for claims 30-37 may be found in the specification at page 6, lines 11-29. Support for claim 38 may be found in the specification at page 6, lines 13-19. Support for claims 39-42 may be found in the specification at page 2, lines 13-18. Support for claims 43-48 may be found in the specification at page 3, lines 28-35. Support for claims 49-51 may be found in the specification at page 6, lines 13-14 and line 24 to page 7, line 12. Support for claims 52-53 may be found in the specification at page 2, lines 2-11 and original claims 1-12. Support for claims 54-58 may be found in the specification at page 5, lines 35-38, at page 6, line 24 to page 7, line 12. Support for claims 59-64 may be found in the specification at page 3, lines 28-35. Further support for claims 46 and 63 may be found in the specification at page 4, lines 5-10. No matter has been added.

For the avoidance of doubt, Applicants note that, as set forth in the specification, "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione" (or "Compound (I)") may exist in one of several tautomeric forms, as individual tautomeric forms or as mixtures thereof, all of which are encompassed by the term "Compound (I)" or "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione". Furthermore, 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione contains a chiral atom, and therefore can exist in up to two stereoisomeric forms. The term "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione" (or "Compound (I)") also encompasses all of these isomeric forms, whether as individual isomers or as mixtures of isomers, including racemates. See the specification at page 4, lines 11-15. Accordingly, when reference is made to "Compound (I)", or to "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione", or to "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, or a tautomer thereof", or to "said 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione", all tautomeric and isomeric forms of the compound are intended to be encompassed.

Additionally for the avoidance of doubt, as set forth in the specification, when reference is made to scalar amounts, including mg amounts and % weight amounts, of "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione in a pharmaceutically acceptable form" (or as in the claims: "said 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione in a pharmaceutically acceptable form"), the scalar amount referred to is made in respect of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione per se: for example, 2 mg of Compound (I), or 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, in the form of the maleate salt is that amount of maleate salt which contains 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione (not: 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione maleate salt). See the specification, page 5, lines 3-7.

Favorable consideration and early passage to issue of the subject application is respectfully requested.

Respectfully submitted,



Kathryn L. Sieburth
Attorney for Applicants
Registration No. 40,072

GLAXOSMITHKLINE
Corporate Intellectual Property-UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone: (610) 270-5012
Facsimile: (610) 270-5090

N:\kls\cases\p32088c2\p32088c2 Response 09-10-03.doc